## ELECTRICITY FOR EIGHTH AVENUE.

Beach Denies the Injunction Against the Met. R. R. Company.

MAY CHANGE THE POWER

Board of Electrical Control Has No Voice in the Matter.

CITY CAN'T BUY THE ROAD.

If It Ever Had an Equity to Purchase It Is Barred by Limitation.

CONSENTS HAVE BEEN OBTAINED.

Decision Will Be Appealed and the Case Will Go to the Appellate Division in a Short

The Metropolitan Rallway Company has won its fight in the Supreme Court against property owners, the Board of Electrical Control and the city to change the power on the Eighth avenue line from horse to electricity. Justice Beach's exhaustive opinion, containing over 5,000 words, was handed down yesterday.

Justice Beach denies the application for an injunction to restrain the company from changing the motive power, declares that the city's right to purchase the road is "dead beyond hope of resurrection," and that the Board of Electrical Control has nothing to say about the change of motive

This disposes of every contention against the Metropolitan Company, and leaves it tree to begin the work of putting in new motive power at once.

The company has already received 15,000 applications for work on the proposed improvements, from pick and shovel men. There will be work as soon as the improvement begins for about half that number.

Will Employ Thousands. The company confidently expects before many months to be able to give employment to at least 10,000 men. This contemplates like improvements on Sixth and Second avenues. The company stands ready to spend \$7,000,000 in improving the motive

At the office of the company it was said yesterday that it had not been decided lefinitely yet when work would begin, but it would be commenced soon. It is the plan to do the work in sections in such a cay that public traffic on Eightth avenue

shall not be interfered with. Following are the sallent points of Jus-

Not in the City's Power. 100 of the Rallroad Law of 1892 authorizes the use of any power approved by the State Board of Railroad Commissioners and consented to by one-half of the abutting property owners. He says:



construction and ten per cent additional,

says he does not fear the result.

nothing to say about the change of motive ropolitan Street Rallway Company.

James C. Carter and Mr. Ellin Root, v. venue Raliroad Company that if al from the order was immediately in the Metropolitan company would clse its rights under the order of each. He was informed, he said, sel that if the appeal was immediately to the attention of the Division, and in view of this the Division, and in view of this the Ebard of Estimate was in sesercially Chief Assistant Corporation Turner walked into the Mayor's dinformed Mayor Strong and Mr. and Judge Beach's decision was the city's claim, ected it," Mayor Strong said.

FIGHT OVER CONSENTS.

Out of the

"The New Civil Service Law," He Says, "Is Constitutional."

FORMER ONE WAS NOT

vice Commission, and Corporation Counsel Scott purpose to test the constitutionality of the act just approved by Governor Black

service law, just approved by Governor Black. For ten years I have given the civil service question my carnest attention. I was in the beginning in favor of the old system. that examinations were required before persons could be appointed to office. I found, however, that this worthy object of so-called civil service reform was in practice made commissioners and appointing officers did lists that no man, however competent, could be appointed unless he had two influences at work-first, the civil service examiner, and, second, the appointing power.

An Office Holding Class It became evident to me also that the called civil service reform system was creating an office holding class and provided for pensions. To Illustrate this I have only to refer to the bills now in the Governor's hands providing for pensions List of Names Alleged to Be Millions for men who sell tickets on the Brooklyn Bridge and conductors and grip men who

terday morning in the Chamber of Commerce building to continue the hearing in the Madison Avenue Railroad Commerce application.

The New York and Harlem Railroad Company and the Metropatic.

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The manner in which as exhibiting frameline to offere a ralloand may be exercised in a matter within the absolute control of the Legislanus.

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The Board of Electrical Control has anything to say about the putting in of electrical control has anything to say about the putting in of electrical control has anything to say about the putting in of electrical control has anything to say about the putting in of electrical control has anything to say about the putting in of electrical control has conditioned in this city whose purpose is to drill men and boys so they can surely pass, and and boys so they can surely pass, and anything to say about the putting in of electrical control has some anything to say about the putting in of electrical control has anything to say about the putting in of electrical control has anything to say about the putting in of electrical control has some anything to say about the putting in of electrical control has anything to say about the putting in of electrical control has been solved as the constitutional convention of 1894 put of their home.

The same and beginning the control of Electrical Control has anything to say about the putting in of electrical control has anything to say about the putting in of electrical control has anything to say about the putting in of electrical control has anything to say about the putting in of electrical control has anything to say about the putting in of electrical control has anything to say about the putting in of electrical control has anything to say about the putting in of electrical control has anything to say about the putting in of electrical control has anything to say about the putting in of electrical c

That the law is constitutional admits of The preamble sets forth that the Board

MAY GIVE A MILLION DOLLARS.

Andrew Carnegie Said to Be Arranging for a Big Gift to Charity.

Greenwich, Conn., May 20.-Andrew Carregie's lawyer and private secretary were ere from New York to-day visiting him. It is rumored that Mr. Carnegie is about to make a donation of \$1,000,000 to some charitable cause before he departs for Scotland next week, and that the visitors of to-day were arranging for it.

to Have Been Grievously Wronged.

For Doing That He Was Clubbed, Arrested and Subsequently Fined Five Dollars.

If Mrs. Jessie O'Brien, of No. 132 West Fifteenth street, who cialms to be a niece of General Fremont and a granddaughter tions she expressed yesterday there is a Hvely time in store for Jereminh Sullivan, tain Chapman in the West Thirtieth Street

Mrs. O'Brien is a tall, well-formed woman, wearing very blonde hair and a pro-fusion of diamonds. Her husband, Thomas O'Brien, is a little, thin man, a consumptive, she says. She shows a marriage certificate setting forth that she was married to O'Brien in Jersey City in 1887.

They have two children living.

The story told by Mrs. O'Brien is that she left her home Wednesday night about 9:30. o'clock for the purpose of visiting the office of her family physician, Dr. Haistead, at No. 172 West Tenth street. She was attired in a skirt and short jacket, worn over her night robe, and loose slippers. Dr. Haistead was not in his office and she went back home, stopping in on the way at a picture gallery in Sixth avenue to make some purchases. It was about 10:35 when she reached the corner of Sixth avenue and short packed up the fact office.

Tace that jarred his hat off.

Captain—You go out there and pick up they did not order Harris & Lafferty to conduct the matter and that another at they did not order Harris & Lafferty to conduct the matter and that another at torney was entitled to the fee. The following is part of the draft of a letter from thoughout the departments while the family physician, Dr. Haistead, at they did not order Harris & Lafferty to conduct the matter and that another at torney was entitled to the fee. The following is part of the draft of a letter from thoughout the departments while the family physician, Dr. Haistead, at they did not order Harris & Lafferty to conduct the matter and that another at torney was entitled to the fee. The following is part of the draft of a letter from thoughout the departments while the family physician, Dr. Haistead, at they did not order Harris & Lafferty to conduct the matter and that another at they did not order Harris & Lafferty to conduct the matter and that another at they did not order Harris & Lafferty to conduct the matter and that another at they did not order Harris & Lafferty to conduct the matter and that another at they did not order Harris & Lafferty to conduct the matter and that another at they did not order Harris & Lafferty to conduct the matter and that another at they did not order Harris & Lafferty to conduct the matter and that another at they did not order Harris & Lafferty to conduct the matter and that another at they did not order Harris & Lafferty to conduct the matter and that another at they did not order Harris & Laffert

other man standing in a dark recess formed the Journal, to keep from the public the by one of the entrances. Sullivan, she de- papers in Pauline Rhoades's suit for d

of the act just approved by Governor Black does not at all displease Abraham Gruber, president of the Progressive Civil Service Association. Mr. Gruber is the author of the new law, and perfectly confident it will stand every test. His statement to the Journal follows:

Editor of the Journal:

I read in the Journal that the Goo Goos and pledgees of civic virtue in and out of office are tearing their hair and uttering lamentations, like my co-religionists before the walls of Jerusalem, over the new civil the walls of Jerusalem, over the new civil about 11 o'clock Mr. O'Eriem returned the facts leaked out.

When she reached her flat she found her flat s

About 11 o'clock Mr. O'Brien returned home and was told the story of the insult. Though a small man physically, his wife to could not stop him. He went in search of discount in the could not stop him. the policeman, and found him standing di- is rectly in front of the house. Mrs. Benton,

no serious question. Objection is made by some that it rates 50 per cent for merit and 50 per cent for fitness. The Const tution does not prescribe the percentage which shall be given for either qualification. What fairer division could be made than 50 per cent for each qualification. Surely if a man merits a place because of book learning and intelligence he shouldn't be appointed unless he is fit by reason of experience, character and general qualifications. There are many public offices in which good character, integrity and ability and working long hours count more then a knowledge of artimotic, geography and the influence of the Zodiac on the livers of old maids.

MAY GIVE A MILLION DOLLARS.

In pursuance of section 2 of the act, the conditions which good character, integrity and ability and working long hours count more then a knowledge of artimotic, geography and the influence of the Zodiac on the livers of old maids.

MAY GIVE A MILLION DOLLARS. no serious question. Objection is made by has found the operation of the Civil Ser

Hagerstown, Md., May 20.—Mrs. Katheri Cotton, wife of Rev. Henry Evan Cotton, rect of St. John's Protestant Episcopal Church, w found dead at her home to-day. She is survit by Mrs. Brainard, her mother, and Mrs. Edg

Vice-Consul Hansen Dead. Copenhagen, May 20,-Olaf Hans the United States Vice-Consul here, and large ship owner of this port, is dead.

SHE SLAPPED CAPT. 'JACK.' Clara Grey Wasn't Afraid of Brewer, Though

He Is the Handiest Man Going with a Gun.

That Captain Jack Brewer is one of the hampion" wing shots of the world did not deter him from having a woman ar-Mrs. Jessie O'Brien Claims rested on a charge of assaulting him His Colossal Partner, Mr. ment Wednesday night. Clara Grey, a pretty, brown-haired giri, was the offender. Magis-trate Mott, when he heard both sides of ket Court yesterday morning.

Miss Grey declares he gave her an cr HUSBAND DEFENDED HER, gagement ring and promised to marry her

Public Eye.

MAY COMPEL CONSENTS. BICYCLE SUITS

The Rapid Transit Commission Has Twenty

whether the Board of Electrical Control by power, find an affidavit of Peret J. Kelly, opened and the Board of Electrical Control by power, and an affidavit of Peret J. Kelly, opened and the Board of Electrical Control and Electrical C

Howe, Is Also Coupled in the Suit.

PLAINTIFFS ARE ANGRY.

They Are a Couple of Oklahoma Lawyers, and Want Their Pay for Services.

Lafferty, a firm of attorneys of Perry, pay any attention to it."

Oklahoma Territory France & Hummel STATE CARLED NO. were served with

it, and Brewer tried overment and vanish the feelings of Clara bility, the feelings of Clara bil

A clause of another letter, ostensibly from Howe & Hummelsand Harris & Lafferty, and which will be offered in evi

house, No. 207 East Seventeenth street last night, and contended that Harris & Lafferty were not entitled to any fee in the A bill for attorney fees binged upon an matter," Mr. Hummel said, "and are not Oklahoma clyorce case has caused a suit our creditors. Our representative is At-to be brought against the law firm of Howe torney Charles Wynn. Anyhow, there is & Hummel, of this city. The complainants not anything in the case. It is so small as in the matter are samuel Harris and Joseph not to be of public interest. I would not

summonk and the STATE CAPITOL'S FIRE SCARE.

Half Hour Binze Created Great Excitement

the entire wer tried her husband in April of last year. She had over the eastern approach to the Capitol

## Passing the rear of the Ninth Regiment Armory she says she saw Sullivan and anonnection with the attempt, exposed by the rear of the Ninth Regiment A fact that was regarded as significant in connection with the attempt, exposed by the regiment the lowest to be a fact that was regarded as significant in connection with the attempt, exposed by clares, walked up and addressed her in endearing terms. She repulsed him, where upon, she says, he called her a vile name. She ran to ner house, followed by Sullivan, who pounded on the door with his club after she had obtained entrance ber, 1896, and nothing was learned of the What she are had been appears in Pauline Rhondes's suit for discovering the course of an argument in court in the action of Lizzle Cowles against Eugene Cowles, which is for discover. These proceedings were begun in November, 1896, and nothing was learned of the What she are had obtained entrance. When the cattering is the action of Lizzle Cowles against Eugene Cowles, which is for discover. Has made our store the abode of the most marvellous Cloth-

ing selling of the season. Every delighted buyer will tell you

THAT B. H. & CO. Clothing is the newest, brightest and most fashionable in style and the best in quality.

THAT the B. H. & CO. REDUCED PRICES

outsell ordinary retailers, two to one. Then come and examine goods and prices yourself on

which our MAY SALE is planned.

1,100 GENTLEMEN'S SUITS of fine quality all-wool Cheviot and Tweed, a lined with extra quality Albert Serge newest nut-brown checks and plaids, line or Italian cloth, per-

young MEN'S SUITS, ages 14 to 19; better than regular retailers can sell

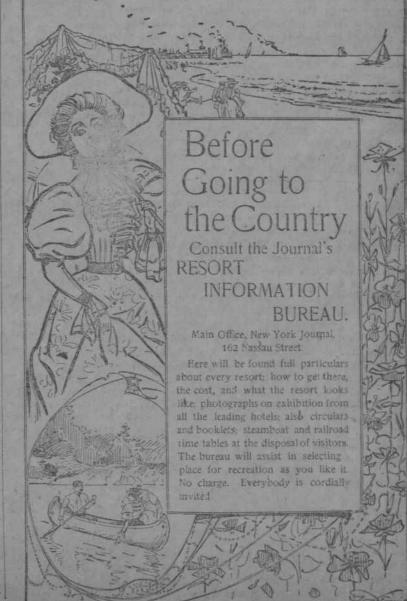
ALL WOOL at 3.25, 4.90, 5.90, 6.90, 7.90 Sold for twice the money at retail stores.

Boys' Short Trousers Suits.

Open Saturday Evening Till 9 o'Clock.

BIERMAN, HEIDELBERG & Co.

Stewart Building, Broadway and Chambers Street.





timate and Apportionment yesterday, show a building about 100 feet square and one story in height, surmounted by a central dome about fifty feet in

diameter. The structure is of steel frame, covered inside and outside with corru-

gated iron. It is to be built on the north side of the pier at the foot of East

Twenty-sixth street, and is to be connected with the Bellevue Hospital grounds by

a bridge. The main feature of the interior arrangement is a large central room,

fifty feet square, on the side of which are constructed compartments made to con-

tain boxes holding bodies. These boxes are slid into the compartments, and when

the doors are closed over the compartments a visitor can discern nothing of the

haracter of their contents. General offices, waiting rooms and a chapel are pro-

ided in the interior. The total cost is \$44,000.